



1743

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M.C. Bach, *et al.*

Serial NO.: 10/092,837

Filed: March 7, 2002

Title: STRUCTURE AND METHOD FOR
PERFORMING A
DETERMINATION OF AN ITEM
OF INTEREST IN A SAMPLE

Case No.: 6416USC1

Group Art No.: 1743

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: (not yet assigned)

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Date of Deposit: August 27, 2003

Matthew H. Mader

8/28/03

Date

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GROUP 1700

Dear Sir:

Enclosed herewith for the Patent Application referenced above are:

1. Information Disclosure Statement
2. Form PTO 1449 (2 pages, in duplicate)
3. References Cited on Form PTO-1449 (5 References)
4. Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed

Respectfully submitted,
M.C. Bach, *et al.*
23492ABBOTT LABORATORIES
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David J. Schodin
Registration No. 41,294
Attorney for Applicants

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M. H. Mader
Matthew H. Mader

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Commissioner for Patents
P.O. Box 1450
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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed, to the knowledge of the undersigned, before the mailing date of a first Office Action on the merits. Applicants respectfully petition and request that the Examiner consider the listed documents and evidence such consideration by making appropriate notations on the attached form. Copies of the listed documents are attached. Also enclosed is the English equivalent for both EP publications, which are in German.

Documents listed in this Information Disclosure Statement, were cited in a communication from the European Patent Office in a counterpart international PCT application. This Information Disclosure Statement is being filed within three months of the mailing date of that communication.

This submission does not represent that a search has been made or that no better art exists, and does not constitute an admission that each or all of the listed documents are material or constitute "prior art". If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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Respectfully submitted,
M.C. Bach, *et al.*

A handwritten signature in black ink, appearing to read "David J. Schodin".

David J. Schodin
Registration No. 41,294
Attorney for Applicants



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DATE: August 27, 2003 **SHEET** 1 of 1

~~Form PTO - 1449 (Modified)~~

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.	SERIAL NO.
		6416USC1	10/092,837
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT(S)	
		M.C. Bach	
(Use several sheets if necessary)		FILING DATE	GROUP
		March 7, 2002	1743
(37 CFR 1.98 (b))			

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	INVENTOR	CLASS	SUB CLASS	FILING DATE
	AA	US 4,895,650	01/23/1990	Wang			02/25/1988
	AB	US 5,458,785	01/01/1999	Howe, et al.			09/24/1993
	AC	US 5,779,907	07/14/1998	Yu			12/06/1996

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLIC- ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION	
							YES	NO
	AD	01/05510 A1	01/25/2001	WO				

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO 1449)